

Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Paper 31

Entered 29 October 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Administrative Patent Judge James T. Moore

Jean-Louis Ruelle
Junior Party
(Patent 6,780,419
Application 10/896,778),

v.

Vincenzo Scarlato,
Vega Massignani, Rino Rappuoli,
Mariagrazia Pizza
and
Guido Grandi
Senior Party
(Application 11/212,443).

Patent Interference No. 105,551
(Technology Center 1600)

1 **SECOND REDECLARATION – Adding Application - Bd.R. 203(b)¹**

2 The interference is redeclared (35 U.S.C. § 135(a)) to reflect the addition of
3 Ruelle Application 10/896,778. Changes are in bold.

4 Part F. Count and claims of the parties

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. ' 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Count 1

Claim 18 of application 11/212,443 or Claim 1 of Patent 6,780,419.

The claims of the parties are:

Ruelle: 1-15

Scarlato: 18-32

The claims of the parties which correspond to Count 1 are:

Ruelle 6,780,419: Claims 1-15

Ruelle 10/896,778: Claims 1-14 as renumbered by the Examiner

October 18, 2007

Scarlato: Claims 18-32

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

Ruelle 6,780,419: None

Ruelle 10/896,778: None

Scarlato: None

The parties are accorded the following benefit for Count 1:

Ruelle:	PCT/EP99/03255	May 17, 1999
Scarlato:	10/695,499	October 28, 2003
	09/302,626	April 30, 1999 (6,709,660)

1 It is hereby ORDERED that the clerk shall file a copy of this Second

2 Redeclaration in the files of:

3 Patent 6,780,419

4 Application 10/896,778

5 and

6 Application 11/212,443.

7
8 /James T. Moore/
9 Administrative Patent Judge

10
11
12
13 cc (via email):

14
15 Attorney for Ruelle:

16
17 Elliott J. Olstein, Esq.
18 Email : eolstein@carellabyrne.com
19 Raymond J. Lillie, Esq.
20 Email : rlillie@carellabyrne.com

21
22
23 Attorney for Scarlato:

24
25 Matthew I. Kreeger, Esq.
26 Email: mkreeger@mofo.com
27 Margaret A. Pierri, Esq.
28 Email : mpierri@mofo.com
29 Otis Littlefield, Esq.
30 Email: olittlefield@mofo.com
31